

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

DR. MORGAN REYNOLDS on behalf
of the UNITED STATES OF AMERICA

Plaintiff,

vs.

SCIENCE APPLICATIONS
INTERNATIONAL CORP.; APPLIED
RESEARCH ASSOCIATES, INC.;
NuSTATS; COMPUTER AIDED
ENGINEERING ASSOCIATES,
INC.; DATASOURCE, INC.;
GEOSTAATS, INC.; GILSANZ
MURRAY STEFICEK LLP; HUGHES
ASSOCIATES, INC.; AJMAL ABBASI;
EDUARDO KAUSEL; DAVID PARKS;
DAVID SHARP; DANIELE VENEZANO;
JOSEF VAN DYCK; KASPAR WILLIAM;
ROLF JENSEN & ASSOCIATES, INC.;
ROSENWASSER/GROSSMAN
CONSULTING ENGINEERS, P.C.;
SIMPSON GUMPERTZ & HEGER, INC.;
S. K. GHOSH ASSOCIATES, INC.;
SKIDMORE, OWINGS & MERRILL,
LLP; TENG & ASSOCIATES, INC.;
UNDERWRITERS LABORATORIES,
INC.; and WISS, JANNEY, ELSTNER
ASSOCIATES, INC.

Defendants.

Case No. 07CV4612 (GBD)


**APPLIED RESEARCH ASSOCIATES, INC.'S
MOTION FOR SANCTIONS PURSUANT TO
FED. R. CIV. P. 11 AND § 3730(d)(4)
OF THE FCA**

COMES NOW Defendant Applied Research Associates, Inc. ("ARA"), by and through counsel, and hereby submits its Motion for Sanctions Pursuant to Fed. R. Civ. P. 11 and § 3730(d)(4) of the FCA. In support of said Motion, Defendant ARA submits herewith its Memorandum of Law.

WHEREFORE, for the reasons outlined in the accompanying Memorandum of Law, Relator's claims are factually and legally deficient and warrant sanctions. Relator's claims are

barred by the first to file and public disclosure bars of the FCA and have no chance of success. In addition, Relator's Complaint is intended only to harass Defendants and to promote Relator's September 11 conspiracy theories. Furthermore, once this Court rules on Defendants' Motion to Dismiss, Defendants, as the prevailing party, will be entitled to attorney's fees and costs under § 3730(d)(4) of the FCA. Accordingly, Defendants respectfully request the Court impose sanctions in the form of attorney's fees against Relator and his attorney under both Fed. R. Civ. P. 11 and § 3730(d)(4) of the FCA.

Dated: December 26, 2007
Denver, Colorado


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CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of December 2007, I served the foregoing **APPLIED RESEARCH ASSOCIATES, INC.'S MOTION FOR SANCTIONS PURSUANT TO FED. R. CIV. P. 11 AND § 3730(d)(4) OF THE FCA** via overnight Federal Express on:

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s/ Gail D. Zirkelbach

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Counsel for Applied Research Associates, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of January 2008, I electronically filed the foregoing **APPLIED RESEARCH ASSOCIATES, INC.'S MOTION FOR SANCTIONS PURSUANT TO FED. R. CIV. P. 11 AND § 3730(d)(4) OF THE FCA** with the Clerk of Court using the CM/ECF system which will send notification of filing to the following e-mail addresses:

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And I hereby certify that I have mailed or served the document or paper to the following non-CM/ECF participants by U.S. Mail, first class, postage prepaid and addressed to the following:

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